

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Rodbell, et el.

Serial No.

Filed:

For: Method For Plating Copper Conductors
And Devices Formed

Docket No.: YO998-503 (64,610-043)

APPOINTMENT OF ASSOCIATE ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned attorney, who has been appointed as an attorney in the Combined Declaration and Power of Attorney for the above-identified application, hereby appoints **RANDY W. TUNG (Registration No. 31,311) of TUNG & ASSOCIATES, 838 W. Long Lake Road, Suite 120, Bloomfield Hills, Michigan 48302**, (Telephone: (248) 540-4040) his associate attorney to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all official communications to Randy W. Tung at the address cited above.

Respectfully submitted,
Attorney for the Applicant(s)

By: Robert M. Trepp
Robert M. Trepp
Registration No. 25,933
Telephone: (914) 945-3147

IBM Corporation
Intellectual Property Law Department
P. O. Box 218
Yorktown Heights, New York 10598
IBM Docket No.: YO998-503

YO998-503
(64,610-043)

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "METHOD FOR PLATING COPPER CONDUCTORS AND DEVICES FORMED" the specification of which

X is attached hereto.

____ was filed on _____ as
Application Serial No. _____
And was amended on _____
(If applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendments referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56, a copy of which is attached.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

| Number | Country | Day/Month/Year | (Yes) | (No) |
|--------|---------|----------------|-------|------|
| Number | Country | Day/Month/Year | (Yes) | (No) |
| Number | Country | Day/Month/Year | (Yes) | (No) |

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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application Ser. No. | Filing Date | Status |
|----------------------|-------------|--------|
| Application Ser. No. | Filing Date | Status |

I further declare that I do not know and do not believe that the invention claimed in this application was ever known or used by others in this country before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to this application or any prior U.S. application above identified in which said invention may have been disclosed, or in public use or on sale in the United States of America for more than one year prior to this application or any prior U.S. application above identified in which said invention may have been disclosed.

POWER OF ATTORNEY

As a named inventor I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith (list name and registration number):

Manny W. Schecter 31,722; Terry J. Ilardi 29,936; Christopher A. Hughes 26,914; Edward A. Pennington 32,588; John E. Hoel 26,279; Joseph C. Redmond, Jr. 18,753; Kevin M. Jordan 40,277; Stephen C. Kaufman 29,551; Jay P. Sbrollini 36,266; David M. Shofi 39,835; Robert M. Trepp 25,933; Louis P. Herzberg 41,500; Daniel P. Morris 32,053; Douglas W. Cameron 31,596 and Paul J. Otterstedt 37,411, Louis J. Percello .

Please send all correspondence and direct telephone calls concerning this application to the following address:

Randy W. Tung, Reg. No. 31,311
TUNG & ASSOCIATES
838 W. Long Lake Road
Suite 120
Bloomfield Hills, Michigan 48302
Phone: (248) 540-4040
Fax: (248) 540-4035

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and of any patent issued thereon.

Full name of first joint inventor

| | | |
|---------|--------|---------|
| Kenneth | P. | Rodbell |
| First | Middle | Last |

Kenneth P. Rodbell

Inventor's Signature

Date

6/16/99

Residence

24 Sleepy Hollow Rd, Sandy Hook, Ct

Citizenship

U.S.A.

06482

Post Office Address

as - above

(PCAI)

Full name of second joint inventor

| | | |
|-----------|--------|------------|
| Panayotis | C. | Andricacos |
| First | Middle | Last |

Panayotis C. Andricacos

Inventor's Signature

Date

7/28/1999

Residence

29L Scenic Drive, Croton-on-Hudson, NY 10521

Citizenship

GREECE

Post Office Address

as - above.

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Full name of third joint inventor

| Cyril | Middle | Cabral, Jr. |
|------------------------|--------|-------------|
| First | Middle | Last |
| <u>Gil Cabral, Jr.</u> | | |
| <u>6/19/99</u> | | |

Inventor's Signature

Date

Residence

Citizenship

Post Office Address

4 Sherman Pl., Ossining, NY 10562
U.S.A.
Same as above

Full name of fourth joint inventor

| Lynne | M. | Gignac |
|------------------------|--------|--------|
| First | Middle | Last |
| <u>Lynne M. Gignac</u> | | |
| <u>6-29-99</u> | | |

Inventor's Signature

Date

Residence

Citizenship

Post Office Address

1 Falconer St., Beacon N.Y. 12508
USA
same as above

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Full name of fifth joint inventor

| Cyprian | E. | Uzoh |
|---------|--------|------|
| First | Middle | Last |

Cyprian E. Uzoh

Inventor's Signature

Sept. 20, 1999

Date

Residence

1645 McCandless Drive, Milpitas, CA. 95035

Citizenship

NIGERIA

Post Office Address

same as above

Full name of sixth joint inventor

| Peter | S. | Locke |
|-------|--------|-------|
| First | Middle | Last |

Peter S. Locke

Inventor's Signature

6/21/99

Date

Residence

89 Dogwood Road, Hopewell Jct, NY 12533

Citizenship

USA

Post Office Address

As Above

§1.56 Duty to disclose information material to patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application; and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent or inventor.

(35 U.S.C. 6, Pub. L. 97-247)

[42 FR 5593, Jan. 28, 1977, as amended at 47 FR 21751, May 19, 1982; 48 FR 2710, Jan. 20, 1983; 49 FR 554, Jan. 4, 1984; 50 FR 5171, Feb. 6, 1985; 53 FR 47808, Nov. 28, 1988, effective Jan. 1, 1989; 57 FR 2034, January 17, 1992, effective March 6, 1992]

(JOINT FORM)
(MORE THAN TWO)

(IBM Docket YO998-503)

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ASSIGNMENT

Whereas, we

Inventor
and City

- (1) Kenneth P. Rodbell
County of *Fairfield*
- (2) Panayotis Andricacos
County of *Westchester*
- (3) Cyril Cabral, Jr.
County of *Westchester*
- (4) Lynne M. Gignac
County of *Dutchess*
- (5) Cyprian E. Uzoh
County of *Santa Clara*
- (6) Peter S. Locke
County of *Dutchess*

Of *Sandy Hook*
and State of ~~New York~~
Connecticut (KPR)

Of *Croton-on-Hudson*
and State of New York

Of *OSSINING*
and State of New York

Of *Beacon*
and State of New York

Of *Milpitas*
and State of California

Of *Hopewell Junction*
and State of New York

have invented certain improvements in

TITLE: METHOD FOR PLATING COPPER CONDUCTORS AND DEVICES FORMED
and executed, respectively, a United states patent application therefor on

DATES THAT (1) *6/16/99* (2) *7/28/99* (3) *6/16/99*
INVENTORS SIGNED (4) *6/29/99* (5) *9/20/99* (6) *6/21/99*
THE DECLARATION

WHEREAS, INTERNATIONAL BUSINESS MACHINES CORPORATION, A Corporation of New York, having a place of business at Armonk, New York 10504,(hereinafter called IBM) desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

NOW, THEREFORE, for valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby sell, assign and transfer to IBM, its successors and

assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the inventions set forth in said application to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

Signed and sealed
CITY (1) at Yorktown Heights, NY Kenneth P. Rodbell (Signature)
DATE on 6/16/99 Kenneth P. Rodbell (Inventor)
First Name Middle Initial Last Name

Signed and sealed
CITY (2) at Yorktown Heights Panayotis C. Andricacos (Signature)
DATE on 7/28/99 Panayotis C. (PCA) Andricacos (Inventor)
First Name Middle Initial Last Name

Signed and sealed
CITY (3) at Yorktown Heights, NY Cyril Cabral Jr. (Signature)
DATE on 6/16/99 Cyril Cabral Jr. (Inventor)
First Name Middle Initial Last Name

Signed and sealed
CITY (4) at Yorktown Heights, NY Lynne M. Gignac (Signature)
DATE on 6-29-99 Lynne M. Gignac (Inventor)
First Name Middle Initial Last Name

Signed and sealed
CITY (5) at Milpitas, CA Cyprian S. Uzoh (Signature)
DATE on 9/20/99 Cyprian S. Uzoh (Inventor)
First Name Middle Initial Last Name

Signed and sealed
CITY (6) at Yorktown Heights, NY Peter S. Locke (Signature)
DATE on 6/21/99 Peter S. Locke (Inventor)
First Name Middle Initial Last Name

- see attached -

Signed and sealed

Inventor
(1) On this 16th day of June, 1999, before me personally came Kenneth P. Rodbell to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

Kenneth P. Rodbell

(Notary) MICHELLE PARRA
Notary Public, State of New York
No. 01PA5089349

Qualified in Dutchess County

Commission Expires December 8, 1999

Signed and sealed

Inventor
(2) On this 28th day of July, 1999, before me personally came Panayotis Andricacos to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

Panayotis Andricacos

(Notary)
MICHELLE PARRA
Notary Public, State of New York
No. 01PA5089349
Qualified in Dutchess County
Commission Expires December 8, 1999

Signed and sealed

Inventor
(3) On this 16th day of June, 1999, before me personally came Cyril Cabril Jr. to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

JENNIFER A. SMITH
Notary Public, State of New York
No. 01SM5063001
Qualified in Westchester County
Commission Expires July 15, 2000

Jennifer A. Smith

(Notary)

Inventor
(4) On this 29th day of June, 1999, before me personally came Lynne M. Gignac to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

Lynne M. Gignac

(Notary)

MICHELLE PARRA
Notary Public, State of New York
No. 01PA5089349
Qualified in Dutchess County
Commission Expires December 8, 1999

Signed and sealed

Inventor
(5)

On this 21 day of Sept., 1999, before me personally came Cyprian E. Uzoh to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

11/16
(Notary)



Signed and sealed

Inventor
(6)

On this 21st day of June, 1999, before me personally came Peter S. Locke to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.

Lucille Fourgeot
(Notary)

LUCILLE FOURGEOT
NOTARY PUBLIC, State of New York
No. 4502670
Qualified in Westchester County
Commission Expires 06/30/01